IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3027 OF 2004

Rajaram alias Raju Ganaji Kokare .. Applicant.
Vs.
State of Maharashtra & Anr. .. Respondents.

Mr.S.A.Pawar for the applicant.
Mr.V.B.Konde-Deshmukh APP for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 10TH AUGUST, 2004

P.C.:

. Heard Mr.Pawar, learned counsel for the applicant and Mr.Konde-Deshmukh, learned A.P.P. for the respondent.

2. This application is filed by the applicant for being released on bail in C.R.No. 107/2003 registered with Yeola Taluka police station under sections 395, 120-B and 171 of the Indian Penal Code. The alleged occurence took place in the intervening night of 6.8.2003 and 7.8.2003. It is the prosecution case that the present applicant and others hatched a conspiracy and in pursuance thereof committed dacoity in which jwellery worth Rs.Thirteen lacs and cash of Rs.1,48,000/- was looted by them. The investigation revealed that it

was a well planned dacoity. It is the prosecution case that the applicant and other accused were aware that the complainant and his friend were travelling in a bus with jwellery and cash. The investigation further reveals that the applicant and other accused were apprehended within half an hour of the alleged occurence and the entire property looted by them was recovered and it was identified by the complainant. In so far as the present applicant is concerned, he was one of the six accused, who committed the alleged crime. Criminal Application No.1886 of 2004, filed by co-accsued - Chandrashekar Palkar, who was similarly placed, has already been rejected by this court on 27th July, 2004. Keeping that in view and the manner in which the crime was committed and considering the overall facts and circumstances of the case, in my opinion, this is not a fit case to enlarge the applicant on bail. The application is rejected.

(D.B.Bhosale, J.)